

**SUPPLEMENTAL AGREEMENT No. 3 TO THE  
MASTER AGREEMENT FOR TRANSPORTATION AND ENGINEERING ON-  
CALL SERVICES BETWEEN THE CITY AND STANTEC CONSULTING  
SERVICES INC. DATED MARCH 18, 2013**

THIS SUPPLEMENTAL AGREEMENT No. 3 (“Supplemental Agreement No. 3”) is made, dated and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2016 by and between the City of Durham, Durham County, North Carolina (hereinafter called the “Client” or “City”) and Stantec Consulting Services Inc. (“CONSULTANT”).

**I. PURPOSE:**

This Supplemental Agreement No. 3 is entered into pursuant to terms and conditions of the agreement entered into between the CITY and CONSULTANT titled “Master Agreement for Transportation and Engineering On-Call Services Between the City and Stantec Consulting Services Inc.” dated March 18, 2013 (hereinafter, “Master Agreement”). The terms and conditions of the Master Agreement are hereby incorporated into this Supplemental Agreement No. 3 as if set forth verbatim herein, except to the extent they are modified by this Supplemental Agreement No. 3.

The Project Understanding and Approach is incorporated into this contract by reference as Exhibit “A.”

**II. SCOPE:**

Task 1.0. Steering Committee/Project Team Meetings & Public Involvement  
Deliverables: (1) Five Steering Committee Meetings; (2) Four Public Officials Meetings; (3) Social Media campaign including dedicate web presence and postings to Facebook sites of relevant organizations; (4) 10 Traveling Roadshow meetings in two rounds of five each with newsletter, maps, and presentation; (5) Two Public Open Houses; and (6) Bi-Monthly Project Status Reports.

Task 2.0. Background Information/Collection  
Deliverables: (1) Geodatabase containing the data items listed in this Task; (2) Existing Conditions Mapping and Summary+Directions documentation; (3) Internal workshop / review of candidate projects; and (4) Preliminary menu of candidate projects and project justifications, scores, and costs.

Task 3.0. Prioritization of Projects  
Deliverables: (1) Steering Committee workshop to identify performance measures and weights; (2) Development of project priority database in MS-Excel to create up to 25 project sheets tailored to the chosen project priority system and content; and (3) Supplementary lists (in table and GIS formats) of recommended projects, justifications, methodology for prioritization, costs and related information collected in earlier Tasks.

#### 4.0 Implementation and Delivery

Deliverables: (1) Final reviews by staff and Steering Committee; (2) Presentation (second) to City Council; (3) Draft and Final Best Practices Design Guide; and (4) delivery of all materials noted in the RFLOI (e.g., report, data collection, mapping, public inputs, draft/final report documentation).

### **III. SCHEDULE:**

The project schedule in Exhibit "A" highlights general milestones in the Scope of Services (Tasks 1-4). This project should be completed by March 31, 2017.

### **IV. PERIOD OF SERVICE:**

This Supplemental Agreement shall be for a period of from \_\_\_\_\_, 2016 to June 30, 2017; unless extended by mutual agreement between the CITY and CONSULTANT.

### **V. COMPENSATION:**

The maximum total contract cost will be \$125,000.00; the summary of approximate cost break down by task provided in Exhibit A of this Supplemental Agreement.

The CONSULTANT will provide the services described in Tasks 1 - 4 of the above Scope of Services for a lump sum fee of \$125,000.00 (including expenses).

The lump sum fee includes all labor costs, overhead and reimbursable costs and expenses including data acquisition cost, subconsultants and direct expenses such as local cellular phone, in-house duplicating and blueprinting, facsimile, automobile mileage, telephone charges, postage, and computer expense. Fees will be invoiced monthly based upon the percentage of services performed as of the invoice date. Payment will be due in accordance with the Master Agreement.

Invoices for all compensation owed in accordance with this Agreement shall be submitted to the City on a monthly basis in conformance with Section V.B. of the Master Agreement and which provide sufficient detail (including progress reports, SDBE utilization report, etc.) to process the invoice for payment and for a proper pre-audit and post-audit thereof in accordance with City standards.

### **VI. INSURANCE COVERAGE AND INDEMNIFICATION**

CONSULTANT shall provide low risk insurance coverage as provided for in Section VII of the Master Agreement for Transportation and Engineering On-Call Services.

## **VII. OTHER SPECIAL TERMS:**

The City will provide the CONSULTANT all pertinent information and data available to the City and deemed necessary to perform assigned tasks.

## **VIII. E-VERIFY REQUIREMENTS:**

E-Verify requirements. (a) If this contract is awarded pursuant to North Carolina General Statutes (NCGS) 143-129 – (i) the contractor represents and covenants that the contractor and its subcontractors comply with the requirements of Article 2 of Chapter 64 of the NCGS; (ii) the words "contractor," "contractor's subcontractors," and "comply" as used in this subsection (a) shall have the meanings intended by NCGS 143-129(j); and (iii) the City is relying on this subsection (a) in entering into this contract. (b) If this contract is subject to NCGS 143-133.3, the contractor and its subcontractors shall comply with the requirements of Article 2 of Chapter 64 of the NCGS.

## **IX. NOTICE:**

All notices and other communications required or permitted by this Agreement shall be in writing and shall be given either by personal delivery, email, facsimile with telephone confirmation, or certified United States mail, return receipt requested, addressed as follows:

### For the City:

Ellen Beckmann, Senior Transportation Planner  
City of Durham  
Department of Transportation  
101 City Hall Plaza  
Durham, NC 27701  
The fax number is (919) 560-4561  
Phone 919-560-4366 ext 36412  
Email: felix.nwoko@durhamnc.gov

### For the Consultant:

Name: J. Scott Lane, AICP, Senior Transportation Planner  
Address: 801 Jones Franklin Road, Suite 300, Raleigh, NC, 27606  
Phone: 919-865-7387  
Email: scott.lane@stantec.com

*[Signatures appear on following pages]*

CITY OF DURHAM  
ATTEST:

\_\_\_\_\_

By: \_\_\_\_\_

Preaudit Certification, if necessary:

\_\_\_\_\_

Stantec Consulting Services Inc.

ATTEST:

\_\_\_\_\_  
Secretary

(affix corporate seal)

By:

\_\_\_\_\_  
President

ACKNOWLEDGEMENT BY CORPORATION

State of \_\_\_\_\_

County of \_\_\_\_\_

I, a notary public in and for the aforesaid county and state, certify that

\_\_\_\_\_ personally  
appeared before me this day and stated that he or she is \_\_\_\_\_ Secretary of  
STANTEC CONSULTING SERVICES, INC, a corporation, and that by authority duly  
given and as the act of the corporation, the foregoing contract or agreement with the City  
of Durham was signed in its name by its \_\_\_\_\_ President, whose name is  
\_\_\_\_\_, sealed with its corporate seal, and  
attested by him/herself as its said Secretary or Assistant Secretary. This the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_.

My commission expires:

\_\_\_\_\_  
Notary Public

## Exhibit A. Scope of Services

The Program includes the following key points that have influenced the following scope of services:

- The geographic extent of the project study area is the city limits of Durham as well as areas outside the city limits where the Comprehensive Plan calls for future urban or suburban development;
- The technical components of the existing bicycle and pedestrians likewise have to be updated to reflect state (e.g., Complete Streets, statewide bicycle/pedestrian plan, and SPOT prioritization) and federal (updated national guidance on design, new MUTCD) changes;
- Projects described in the Program need to reflect anticipated financial levels and timing; and
- The Program has to reflect changes in population, demographics, and development patterns internally as well as national trends, policy changes, and innovative design practices.

### **Task 1.0. Steering Committee/Project Team Meetings & Public Involvement (25% of Project Budget)**

The following outlines the approach to each primary element of engagement. The Client will assist the Program and Consultant by reviewing draft products, managing the logistics of meetings, and attending meetings, as their schedule permits. Draft recommendations will enter the draft report along with a description of the key comments heard often, and how we have addressed those comments in the Program.

**1.1 Steering Committee Meetings (5).** Steering Committee meetings should be limited to 90 minutes; have clear/succinct agendas; and be collaborative, working meetings. The Client will dictate the formation and composition of the Steering Committee, and arrange the venue and notifications for each meeting of the Steering Committee.

**1.2 Traveling Roadshow Events (10).** The Consultant will develop an agenda for two rounds (one to discuss priorities, and the other to validate/refine recommendations) of Traveling Roadshow meetings with existing organizations, such as the PAC (Partners Against Crime). Each roadshow will last approximately 30 minutes. Printed materials will include (1) Newsletter-format (max: four pages) handout; (2) 1-2 Maps of the Study Area; and (3) comment cards for completion and handing back in to the Consultant and/or City staff. A presentation conducted by the Consultant lasting less than 15 minutes will be followed by a question-and-answer period.

**1.3 Public Open Houses (2).** An initial public open house will be held to discuss priorities, and a second public open house will coincide with the release of the Draft Plan document during the open review period (approximately December 2016 – January 2017). These meetings will last approximately three hours, with a drop-in format punctuated at “top of the hour” presentations by the Consultant (and staff, as desired). A bicycle station and a pedestrian station will allow specific comments on the main components of the plan, facilitated by a 1-2 station managers and poster-size mapping.

**1.4 Social Media Presence/On-Line Mapping.** This element will be an integrated part of the overall engagement strategy. MySidewalk (formerly MindMixer) will integrate on-line mapping with “thread” topic development to create an integrated package. Based on the input and prior review from the Client,

## Exhibit A. Scope of Services

the Consultant will post notifications to existing Facebook sites and neighborhood email lists to notify people of upcoming events and draft releases of the Plan.

**1.5 Board Briefings (4).** The Consultant will prepare and deliver presentations to the City Council twice, and the City-County Planning Commission and BPAC once each. The City-County Planning Commission and BPAC will be briefed at the recommendations stage (two-thirds point) of the project to make them aware of what is happening and provide feedback / support. The mid-point briefing should make the project team aware of sensitive issues, but a strong public engagement effort should also result in people showing up at these meetings to support the Program recommendations.

**1.6 Project Status Reports.** Our team will present a draft template for this emailed report during the Orientation Task (Task 0) modified to suit the Client's needs. Our Project Manager will personally prepare this report, with tasks that the Consultant will bill towards for the life of the Program.

Deliverables: (1) Five Steering Committee Meetings; (2) Four Public Officials Meetings; (3) Social Media campaign including dedicate web presence and postings to Facebook sites of relevant organizations; (4) 10 Traveling Roadshow meetings in two rounds of five each with newsletter, maps, and presentation; (5) Two Public Open Houses; and (6) Bi-Monthly Project Status Reports.

### **Task 2.0. Background Information/Collection** *(30% of Project Budget)*

The gathering of “hard” data into an approved data dictionary will aid in identifying needs, prioritizing projects, and understanding how best to invest limited resources. This information is to be used to create a draft set of projects based on existing and anticipated conditions.

#### **2.1 Data Collection**

It is important that each piece of data connect to a purpose: prioritization, identification of hazards, or other uses. Some of this information, like lighting levels and bicycle-mounted video are important to communicating not only safety information but the conditions to the Steering Committee and public that will help them engage with the process.

The initial data set will be comprised of the following information collected at the outset of the project (the priority project data will be collected once the candidate list has been reduced to 25 high-priority corridor projects and major intersection/interchange improvements, 25 minor intersection improvements to install pedestrian signals, and another 25 short “gap” projects to promote connectivity.

## Exhibit A. Scope of Services

<b>Data Collection Location</b>	<b>Collection</b>
<b>Area-wide</b>	Crash Data (NCDOT DMV and geocode locations by Consultant); and demographic data (including time series and tapestry segmentation to better understand future and existing latent demand); use of Strava/MapMyRide trace data to show biking routes; bus boarding/alighting figures; TRM for future vehicular volumes
<b>For Top 25 Priority Locations (Major Intersection / Interchange and Corridors), Top 25 Minor Intersections, and Top 25 Gap Projects</b>	Gap Locations: In places where short connections between sidewalks, greenways, or bicycle facilities can be made with little or no acquisition of right-of-way and are generally shorter than 500', data on length, generalized costs, and locations/proximity to important destinations will be summarized to produce a list of potential gap projects.
	For Intersections: Crossing treatment, approach volumes, signalization type, presence of pedestrian signals, signage, ADA compliance, notable design features (e.g., free-flow right turns, islands/refuges), approach photographs, light levels; high-crash locations will also use crash diagrams for use in developing countermeasures.
	For Corridors: Lane widths, traffic volumes, edge treatments, right-of-way widths, typical speeds, transit locations/provisions (e.g., bicycle rack, access evaluation), light levels, signage, key destinations/origins (parks, schools, residential communities and access points/quality to each); a CPTED audit to identify countermeasures to reduce criminal activity

This Task assumes that not every intersection and roadway will be evaluated to the same level of detail, but rather that the Client and Steering Committee will narrow the number of intersections and priority corridors.

### 2.2 Existing Conditions and Directions

From the work conducted in Task 2.1, the Consultant will prepare base mapping of existing conditions data. We will also prepare a written summary of the data, including an interpretation of the conditions and needs at each identified location, including past plan / project recommendations.

The top corridor and intersection project recommendations will be based on probable, dominant user types in each location (which sometimes translate into multiple facilities in a corridor to accommodate different needs) as well as a clear project justification ("purpose and need"), opinion of probable cost based on recent construction experience, and weighted scoring factors. Our project review process will include an internal workshop / review whereby those that have collected data in the field, planners, environmental professionals, and engineers will consider every candidate project to discuss concerns, adjustments to costs, and constructability factors. This information will be carried forward to project sheets described in subsequent Tasks. City of Durham staff is encouraged to attend this internal workshop.

## Exhibit A. Scope of Services

Deliverables: (1) Geodatabase containing the data items listed in this Task; (2) Existing Conditions Mapping and Summary+Directions documentation; (3) Internal workshop / review of candidate projects; and (4) Preliminary menu of candidate projects and project justifications, scores, and costs.

### Task 3.0. Prioritization of Projects *(27% of Project Budget)*

#### 3.1 Identifying Priority Measures (Round One of Priority Process)

The Consultant will initially focus on identification of an appropriate set of measures to use in setting project implementation priorities. This task will also determine how the measures should be weighted. It is assumed that pedestrian projects would be prioritized differently than bicycle projects and as such, individual mode-specific criteria will be developed. At the conclusion of the prioritization process, there will be a draft list of ranked pedestrian projects, ranked bicycle network projects, and combined project corridors and facility recommendations.

The Consultant may use the ActiveTrans Priority Tool (APT), a nationally accepted modeling tool, to score bicycle and pedestrian transportation improvement projects and develop priority listings. This prioritization tool was developed specifically for prioritizing bicycle- and pedestrian-oriented capital improvements.

**3.1.1 Background Review.** The Consultant will begin by gathering background information about how the City of Durham has addressed capital project prioritization in the past. Previous bicycle, pedestrian, congestion management, and transit access plans will be reviewed for discussion of public values and community priorities that reflect on the potential prioritization factors that may be employed in the model. These documents will also be reviewed for information that can inform the weighting of these factors. Potential factors include the following: Stakeholder Input, Safety, Existing Conditions, Demand, Connectivity, Equity and Compliance; other factors may be added at the Client's discretion. Additionally, information gathered in the public outreach efforts of this project will be reviewed by the Consultant for expressions of values and viewpoints that are relevant to this prioritization process.

The Client will also be interviewed so that Consultant can understand the Client's recent experiences with prioritization processes for capital improvement projects. The Client will also be consulted about the types and quality of data that are available that can be used to measure the potential prioritization factors. All GIS and other data required to utilize the APT will be supplied by the city or obtained from existing data sources, such as NCDOT and the U.S. Census, including demographic data, sidewalk coverage, previous project lists, crash locations, etc.

**3.1.2 Draft Prioritization Process.** With an understanding of how the City and its citizens have thought about prioritization in the recent past, the Consultant will develop a draft approach for prioritization. Consultant will present this draft to the project Steering Committee and facilitate discussion and understanding. Consultant will document the discussion and feedback received from the Steering Committee. Subsequent to gaining feedback from the steering committee, Consultant will work with the Client to refine the prioritization process.

## **Exhibit A. Scope of Services**

**3.1.3 Final Round One Prioritization Process.** In the third step, the Consultant will compile and prepare the usable data for use in the prioritization model. This task will include setting up the template prioritization tool provided by NCHRP, scaling the variables that are to be used to measure each factor, running the model, and creating a ranked list of projects. In this subtask, the Consultant will also develop a map of priority projects. The Consultant will submit the results of the first run of the model to the Prime and Client for review. Based upon Client review and feedback, and internal discussions with consulting team members, the Consultant will adjust weightings or other facets of the model to ensure that the results reflect the Durham community's values. The Consultant will then submit a revised project list and priorities map resulting from the adjusted model.

### **3.2 Applying Priority Measures (Round Two of Priority Process)**

Based on the first round of prioritization, the Consultant will create a MS-Excel™ tool that links project priorities, costs (which are often used to normalize performance-based scoring), and project sheets for approximately 25 major projects as defined by cost and/or scope. Additional projects will be included in a longer list in the Program documentation as “vision” elements. A project may be construed as consisting of a single corridor or intersection location with either or both pedestrian and bicycle recommendations. Small intersection and gap projects may be grouped together and defined more generally than the major corridor projects. Some of the major corridor projects will include a cost and benefit comparison of different alternatives such as bike lanes, separated bike lanes, and sidepaths as appropriate. Opportunities for bicycle boulevards and roadway reconfiguration projects will also be identified.

It is important that projects likely to be constructed entirely or partially as a feature of new private development actions are flagged. Similarly, projects incidental to minor or major street rehabilitation projects should also be flagged. The Consultant will include geographic dispersion as well as safety and health factors.

Deliverables: (1) Steering Committee workshop to identify performance measures and weights; (2) Development of project priority database in MS-Excel to create up to 25 project sheets tailored to the chosen project priority system and content; and (3) Supplementary lists (in table and GIS formats) of recommended projects, justifications, methodology for prioritization, costs and related information collected in earlier Tasks.

### **4.0 Implementation and Delivery (18% of Project Budget)**

Additional enhancements and refinements to the draft products created in Task 3.0 will lead to the development of implementation strategies and the final document production. This Task respects that fact that substantive design guidance and other materials already exist (although they may need to be updated), and focuses on expanding on existing practice documents to include a broader range of more recently popularized strategies. The culmination of this Task coincides with the complete of draft and final report documentation.

#### **4.1 Implementation Strategies**

The Consultant will identify specific implementation methods and resources previously described (e.g., private sector, grant, incidental to construction/maintenance, state/federal) for every project, and finalize

## **Exhibit A. Scope of Services**

cross-sections and diagrams for the top 25 corridor and intersection projects. The top bicycle, pedestrian, and combination bike/pedestrian projects will be identified in this process. The top projects will each have an implementation strategy, timeline, and responsibilities for completion.

### **4.2 Best Practice Design Guide**

The Consultant will provide the Client with a brief Best Practices Guide (“Guide”) for the design and application of specific bicycle and/or pedestrian transportation facilities or treatments, hereafter called “topics.” The Consultant will coordinate with the Client to select up to 10 topics that will be addressed in the Guide. The Consultant will draw upon recent best practice guides, complete streets guides, and similar work it has done for a wide range of urban clients throughout the United States.

Each topic will be shown on one or two pages, and will include a general description of the facility type/treatment, its purposes, suitability for various urban settings (i.e. street types and land uses), key design criteria, important considerations, benefits, and typical challenges. It is expected that topics may include Bicycle Boulevards, Buffered Bicycle Lanes, Separated / Protected Bicycle Lanes, Curb Extensions, Mid-block Crossings, Curb Ramp Designs, Wayfinding, or other bicycle or pedestrian treatments.

Each topic will be illustrated with appropriate photos, plan view drawings, cross-sections or perspective drawings. Graphic elements will be limited to one or two graphics per topic.

The Consultant will initially provide a list of acceptable topics that the Client will approve, then provide one draft of the Guide for Client (and stakeholder) review and comment, make revisions based on those comments, and submit one final Guide for inclusion in the final Program report document.

### **4.3 Development of the Draft Program Documentation**

The preceding Tasks, when combined, create a cohesive Program: existing conditions/directions, project priorities, and finalized list of project recommendations. The Stantec Team will draw upon this draft information and comments received during the planning process to refine the documentation into a complete draft Plan in collaboration with the Client, including key representatives from various departments. Once reviewed with the Steering Committee, their comments will be assessed with the Client prior to making final changes to the presentation-level draft documentation. This final copy will be presented to the Client Project Manager for final review and comments.

Our team strongly recommends that this is the point in the process where the draft Program is presented to the City Council for review and adoption. Pending any comments from that process, final documentation will be prepared at that point in time.

Deliverables: (1) Final reviews by staff and Steering Committee; (2) Presentation (second) to City Council; (3) Draft and Final Best Practices Design Guide; and (4) delivery of all materials noted in the RFOI (e.g., report, data collection, mapping, public inputs, draft/final report documentation).

## **Exhibit A. Scope of Services**

### **Schedule**

The following is the anticipated schedule; the Program is expected to be completed by March 31, 2017.

Task 1.0. Steering Committee/Project Team Meetings & Public Involvement: March 31, 2016

Task 2.0. Background Information/Collection: June 30, 2016

Task 3.0. Prioritization of Projects: September 30, 2016

Task 4.0 Implementation and Delivery: March 31, 2017